

## CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, FAX NO. (703) 872-9303 ON 17 March 2004.

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NAME OF PERSON SIGNING CERTIFICATE: Scott J. Anchell

SIGNATURE: Scott J. Anchell

MAR 17 2004

OFFICIAL

Attorney Docket No.: 051481-5077

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Frederic GAGNON ) Confirmation No: 5999  
Application No.: 09/986,758 ) Group Art Unit: 3753  
Filed: November 9, 2001 ) Examiner: Fox, J.  
For: DIFFUSER IN AN AIR MASS )  
FLOW CONTROLLER )

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

1. Transmitted herewith is an Amendment Under 37 C.F.R. § 1.116 in reply to the Office Action dated 17 October 2003.
2. Additional papers enclosed:

Change of Correspondence Address  
 Request for Approval of Drawing Change  
 Drawings:  Formal  Informal (Correction)  
 Information Disclosure Statement  
 Form PTO-1449, \_\_\_\_\_ reference(s) included  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Extension of time fee due with this request: \$420.00

If an additional extension of time is required, please consider this a Petition therefore.

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefore of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	22	minus	22	0	x \$18 each -	+ \$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	2	minus	3	0	x \$84 each -	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)				\$270.00		+ \$ 0.00
<b>SUB-TOTAL =</b>						<b>\$ 0.00</b>
Reduction by ½ for filing by a small entity						- \$ 0.00
<b>TOTAL FEE =</b>						<b>\$ 0.00</b>

6. Fee Payment

No fee is to be paid at this time.

The Commissioner is hereby authorized to charge \$4420.00, for a two-month extension of time fee, to Deposit Account No. 50-0310.

The Commissioner is hereby authorized to charge any additional fees that may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: 17 March 2004

By: Scott J. Anchell  
 Scott J. Anchell  
 Reg. No. 35,035

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